

<b>DOD: 11/15/2002</b>	<b>PUBLIC ADMINISTRATOR</b> , Successor Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 11/02/2015:</b> <b>Counsel requests additional time. Timothy Tomlin is ordered to be personally present in Court or via Court Call on 12/07/2015.</b>
	<p><b>Petitioner states:</b> on June 21, 2007, the Court issued a minute order reading, "the court orders the Public Administrator is appointed...Personal Representative Christopher O'Neal is Removed."</p> <p>The Court is respectfully referred to the PA's status report filed on 05/20/2014. Therein, the PA reported that she has been unable to make contact with any of the heirs, including the former administrator.</p> <p>On 03/29/2004, the former administrator filed a final Inventory and Appraisal showing the value of the estate to be \$145,000.00 consisting solely of real property. The PA was able to determine that Christopher O'Neal put the property in his name, took out a loan against it, and then lost the house to foreclosure. He used part of the loan proceeds to purchase a new pick up, which the PG was able to marshal and sell for \$16,400.00.</p> <p>Christopher O'Neal never filed an accounting with the Court or provided any documents to the PA as directed by the Court. Due to his breach of fiduciary duty as personal representative, he should be surcharged the full value of the estate, \$145,000.00, less the amount recovered, \$16,400, for a total surcharge of \$128,600.</p> <p>On 12/08/2003, proof of a \$50,000 bond was filed, as required by the Court. The bond company that issued it was Western Surety Company. Since it appears the PA will not be able to collect the judgment from Christopher O'Neal, he requests an order directing Western Surety Company, or the successor of that company, to pay the \$50,000 bond to the PA. Proper notice of this hearing will be given to the bond company.</p> <p>Wherefore, petitioner prays for an order that:</p> <ol style="list-style-type: none"> <li>1. The Court find Christopher O'Neal breached his fiduciary duty as personal representative of the above-named estate;</li> <li>2. The Court find that Christopher O'Neal's breach cost the estate the amount of \$128,600, and surcharge him that amount;</li> <li>3. The Court make an order that Western Surety Company, or any successor of that company, be ordered to pay the bond of \$50,000 to the PA; and</li> <li>4. The Court make any other proper orders.</li> </ol> <p><b><u>Please see additional page for Objection</u></b></p>	
<b>Cont. from 031615, 072015, 092115, 110315</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
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<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
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<input type="checkbox"/> <b>Sp.Ntc.</b>		
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<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by: LV</b> <b>Reviewed on: 11/30/2015</b> <b>Updates:</b> <b>Recommendation:</b>  <b>1A – O'Neal</b>  <b>File 1A – O'Neal</b>

**Objection to Petition for an Order of Surcharge and Demand for Evidentiary Hearing After Completion of Discovery filed on 03/09/2015 by Attorney Timothy J. Tomlin for Western Surety Company** states they object to the Petition for surcharge filed by the Fresno County Public Administrator and requests an evidentiary hearing be set in late 2015 to permit WSC sufficient time to defend the allegations raised in the petition.

WSC issued a \$50,000.00 fiduciary bond to secure the faithful performance of fiduciary Christopher O'Neal as administrator. As such, it may be jointly and severally liable for any defalcations committed by Mr. O'Neal. WSC is an "interested person" in this proceeding and is entitled to participate in discovery and otherwise defend the surcharge claim to minimize any potential exposure on the administrator bond.

WSC and the personal representative Christopher O'Neal are entitled to an evidentiary hearing on the allegations raised. Each of the categories of alleged misconduct and related issues must be fully explored prior to the imposition of any surcharge. Ultimately, a trial may have to be set if a settlement cannot be reached and evidence hearing on the allegations. The Court should afford WSC and Mr. O'Neal with an opportunity to defend the allegations. This prevents the injustice of binding the principal and the sureties to the consequences of a proceeding in which there has been an insufficient opportunity to engage in discovery, present evidence, and cross examine the witnesses.

For the foregoing reasons, WSC requests that the Court set an evidentiary hearing with a time estimate of three (3) days for a date in August, 2015.

**1B Marqueeenia O'Neal (Estate) Case No. 03CEPR01456****Atty Kruthers, Heather (for Public Administrator – Successor Administrator)****Atty Tomlin, Timothy J. (for Western Surety Company - Objector)****Probate Status Hearing RE: Settlement**

	<b>PUBLIC ADMINISTRATOR</b> , was appointed Successor Administrator on 06/21/2007. Letters issued on 3-3-08.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 11/02/2015: Counsel requests additional time. Timothy Tomlin is ordered to be personally present in Court or via Court Call on 12/07/2015.</b>
<b>Cont. from 092115, 110315</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
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<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
		<b>Reviewed on: 11/30/2015</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1B – O'Neal</b>

**1B**

Conservator

Greatrake, Robin

## Probate Status Hearing RE: Receipt of Transfer

	<b>ROBIN GREATRAKE</b> , mother, was appointed Conservator of the Person on 8/7/2007.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED TO 02/22/16</b></u> <b>For Receipt of Transfer per Probate Dept. Mgr.</b>
Cont. from	<b>Court Investigator Charlotte Bien filed a <i>Petition for Transfer</i> on 8/27/2015</b>	
Aff.Sub.Wit.	requesting this proceeding be transferred to the Superior Court of California, County of San Joaquin, because the Conservatee has resided in Stockton in San Joaquin County for over 1 year.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	On <b>10/07/15</b> , the Court granted the Petition for Transfer and set this matter for a status hearing regarding receipt of Transfer from San Joaquin County.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 11/30/15
		Updates:
		Recommendation:
		File 2 - Timmerman

**3 Timothy Worden, Samantha Worden, Jason Worden and Joshua Worden  
(GUARD/P)**

**Case No. 07CEPR00886**

Petitioner Bolin, Jill (pro per – mother)

**Petition for Termination of Guardianship**

		<b>JILL BOLIN</b> , mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need <i>Notice of Hearing</i> .  2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Ernestine Worden (paternal grandmother/guardian) b. Dustin Worden (father) c. Bob Worden (paternal grandfather) d. Timothy Bolin (maternal grandfather) e. Maternal grandmother	
		<b>ERNESTINE WORDEN</b> , paternal grandmother, was appointed as Guardian of the minors on 07/15/08.		
		Father: <b>DUSTIN WORDEN</b>		
		Paternal grandfather: BOB WORDEN		
		Maternal grandfather: TIMOTHY BOLIN		
		Maternal grandmother: UNKNOWN		
<b>Cont. from</b>		<b>Petitioner states</b> [see file for details].		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<b>Court Investigator Jennifer Young filed a report on 12/02/15.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			x
<input type="checkbox"/>	<b>Aff.Mail</b>			x
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
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<input type="checkbox"/>	<b>Letters</b>			
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<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input checked="" type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
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<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by:</b> JF <b>Reviewed on:</b> 11/30/15 <b>Updates:</b> 12/02/15 <b>Recommendation:</b> <b>File 3 - Worden</b>	

## Amended Petition for Surcharge Against Former Administrator for Breach of Fiduciary Duty

<b>DOD: 7/11/08</b>		<b>PUBLIC ADMINISTRATOR</b> , Successor Administrator, is Petitioner.  <b>Petitioner states</b> Jo Anne Ruth Fuchs was appointed as administrator of the estate on 12/8/09 with \$30,000.00 bond, which was filed 1/8/10. Ms. Fuchs was removed as administrator per minute order 3/15/13.  A Partial I&A was filed by the former administrator consisting of vehicles and trailers, total value \$8,100. The PA filed a Final I&A on 1/28/15 showing an additional value of \$15,950 consisting of vehicles and trailers. The PA filed a Supplemental I&A on 9/9/15 showing an additional value of \$4,200.00. The total appraised value of the estate is \$28,250.00.  Ms. Fuchs sold the following items from the 2010 I&A: <ul style="list-style-type: none"> <li>• 1955 Peterbilt Truck: \$400</li> <li>• 1956 Peterbilt Truck: \$400</li> <li>• 1970 Chevrolet Pickup: \$7,000</li> </ul> Ms. Fuchs sold the following items from the 2015 I&A: <ul style="list-style-type: none"> <li>• 1979 Boat Trailer: \$900</li> <li>• 1979 Belmont Boat: \$5,000</li> <li>• 1973 Trailer: \$150</li> <li>• 1982 Chevy El Camino: \$5,000</li> <li>• 1970 Chevrolet Pickup: \$7,500</li> </ul> The PA sold the following items from the 2010 I&A: <ul style="list-style-type: none"> <li>• 1970 trailer dolly: \$300</li> </ul> The PA sold the following items from the 2015 I&A: <ul style="list-style-type: none"> <li>• Striped Motorboat: \$200</li> <li>• Flatbed Utility Trailer: \$1,000</li> <li>• Misc. motors and parts: \$400</li> </ul> The PA was able to recover \$1,900 worth of assets to sell, so Ms. Fuchs misappropriated \$26,350.00 worth of assets. She admitted to the PA that she sold the items and kept the money. Therefore, she should be surcharged the amount of \$26,350.00.  <b>Petitioner requests an order that:</b> <ol style="list-style-type: none"> <li>1. The Court find that Jo Ann Ruth Fuchs breached her fiduciary duty as personal representative of the above-named estate;</li> <li>2. The Court find that Ms. Fuchs' breach cost the estate the amount of \$26,350.00 and surcharge her that amount;</li> <li>3. The Court make an order that Western Surety Company, or any successor of that company, be ordered to pay the bond of \$26,350.00 to the PA; and</li> <li>4. The Court make any other proper orders.</li> </ol>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>See Page 2.</b>
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
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Reviewed by: skc

Reviewed on:  
11/30/15

Updates:

Recommendation:

File 4 - Esparza

Page 2

**NEEDS/PROBLEMS/COMMENTS:**

1. Examiner previously noted that the Judgment Determining Ownership filed 12/9/10 included a 1993 Chevrolet Silverado Pickup that was not identified in any of the I&As filed, and questioned what happened to this vehicle?

Response to Examiner Notes filed 9/4/15 indicated that the PA had no knowledge of this asset; therefore, the value should be sought in the amended surcharge petition.

However, this amended petition does not mention the 1993 Silverado or seek surcharge for the value. The Court may require clarification.

**Second and Final Account and Report of Conservator and Petition for Its Settlement; Request for Approval of Payment of Conservator's Fee; for Approval of Payment Conservator's Attorneys' Fees and Costs; Delivery of Remaining Assets to Personal Representative; and Termination of Conservatorship Proceedings**

<b>DOD: 4/17/15</b>		<b>BRUCE D. BICKEL</b> , Conservator of the Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Anita Leal-Idrogo, Daughter, was appointed Executor of the Estate of Mildred Haney aka Mildred Leal on 8/12/15 in 15CEPR00657.  1. Need order. See Local Rules 7.1.1.F and 7.6.1.  <b>Note:</b> Attorney Denning submitted a proposed order re his fees only.  <b>Update:</b> Attorney Marshall submitted an order that includes all items in the prayer, including Mr. Denning's fees.
		<b>Account period: 7/1/13 – 4/17/15</b> Accounting: \$2,221,511.03 Beginning POH: \$2,081,185.53 Ending POH: \$1,936,816.69	
		<b>Account period: 4/18/15 – 6/30/15</b> Accounting: \$1,945,107.78 Beginning POH: \$1,936,816.69 Ending POH: \$1,931,805.63 (\$16,868.31 cash plus a brokerage account and misc. personal property items)	
		<b>Conservator: \$30,122.75</b> (for 251.86 hours at an effective rate of \$119.60/hr, per Declaration. Petitioner states effective 9/1/14, to maintain efficiency and cost-saving delegation of work, Petitioner retained the services of Matthew Bickel, a licensed professional fiduciary, and his staff, to provide fiduciary support services to Petitioner for the benefit of the Conservatee and the estate. All acts and services rendered by Matthew Bickel and his staff were necessary and required and performed at the request and under the delegation and supervision of Petitioner as Conservator. Matthew Bickel is also the son of Petitioner. With that exception, Petitioner has not hired any other person who has a family or affiliate relationship.	
		<b>Attorney (Dowling Aaron, attorneys for Conservator of the Estate): \$7,065.50</b> (for 22.4 hours @ \$240-290/hr, with reductions, per Declaration filed 12/2/15)	
		<b>Attorney (Bergstrom, attorney for Harry Baker, Conservator of the Person): \$7,800.00</b> (for 35 hours @ \$300/hr, as set forth in Declaration filed 11/23/15)	
		<b>Attorney (Denning, attorney for Conservatee): \$4,100.00</b> ( <b>Note:</b> Declaration of Stephen M. Denning requests <b>\$3,775.00</b> , for 15.10 hours @ \$250/hr for services in connection with appointment of a conservator.)	
		<b>Closing: \$2,500.00</b>	
		<b>Costs: \$520.50</b> (filing, certified copies)	
		<b>SEE PAGE 2</b>	



## Page 2

**Petitioner prays for judgment of this Court that:**

1. Notice of hearing of this account, report and petition be given as required by law;
2. The Second Account and Report be settled, allowed and approved as rendered, and all acts and transactions of Bruce D. Bickel as Conservator of the Estate set forth in it, or relating to matters set forth in it, be ratified, confirmed and approved;
3. At the end of the supplemental accounting period, the Petitioner has on hand assets with a value of \$1,931,805.63, of which \$16,868.31 is cash;
4. Petitioner be authorized and directed to pay the following amounts for fiduciary services:
  - to Bruce D. Bickel: \$20,425.20
  - to Matt Bickel Fiduciary Support Services: \$9,697.55
  - Total: \$30,122.75
5. Petitioner be authorized and directed to pay to the law firm of Dowling Aaron Incorporated, Petitioner's attorney, attorney's fees in the amount of \$7,065.50 for legal services rendered through termination of the conservatorship proceeding, and reimbursement for out of pocket costs in the amount of \$520.50 as full satisfaction for legal services rendered during the period of this account;
6. Petitioner be authorized and directed to pay Robert Q. Bergstrom, attorney for Conservator of the Person Harry Baker, reasonable attorney's fees in an amount approved by the court;
7. Petitioner be authorized and directed to pay Stephen M. Denning, attorney for Conservatee, reasonable attorney's fees in an amount approved by the court;
8. Petitioner be authorized to withhold a reserve in the amount of \$2,500.00 for closing expenses and as a reserve for any liabilities that may hereafter be determined to be due from the conservatorship estate, and to deliver the unused part to Anita Leal Idrogo, Executor of the Estate of Mildred Haney, without further court order of the court;
9. The Court authorize and direct Petitioner to transfer and deliver any and all property remaining in the Conservatorship Estate, subject to payment of the above fees, to Anita Leal Idrogo, Executor of the Estate of Mildred Haney;
10. The Conservatorship be terminated, with Conservator to be discharged and surety bond released upon the Conservator's filing of a receipt evidencing transfer of assets to the estate; and
11. Such further orders be made as the Court deems proper.

**6 Isaac Roman, Ilin Roman & Ilyssa Roman (GUARD/P)****Case No. 13CEPR00983**

Petitioner Roman, Guillermo (Pro Per – Maternal Grandfather)

Petitioner Avila, Maria Guadalupe (Pro Per – Maternal Grandmother)

**Petition for Appointment of Guardian of the Person**

		<b><u>TEMPORARY EXPIRES 12/7/15</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>MARIA G. AVILA and GUILLERMO ROMAN</b> , maternal grandparents, are petitioners.	<b>This petition is as to ILYSSA ROMAN only.</b>	
<b>Cont. from</b>		<b>Please see petition for details</b>	<b>Petitioners were previously appointed as guardian for Isaac and Ilin (3/27/14).</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>		<b>Minute Order of 10/13/2015 regarding the Temporary Petition states: Petitioners are informed that the father needs to be served.</b>  1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Ricardo Cantu (father)	
<input type="checkbox"/>	<b>Inventory</b>			
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<input checked="" type="checkbox"/>	<b>Conf. Screen</b>			
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<input type="checkbox"/>	<b>Video Receipt</b>			
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<input checked="" type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by: LV</b>	
			<b>Reviewed on: 11/30/2015</b>	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 6 - Roman</b>	

**First and Final Account and Report of Status of Administration of  
Administrator and Petition for Settlement Thereof; Waiver of Administrator's  
Fees, Waiver of Attorney's Fees and for Final Distribution**

<b>DOD: 7/16/2002</b>		<b>ELGERON GRAVES</b> , Administrator, is petitioner.  <b>Account period: 4/14/15 – 9/30/15</b>  Accounting - \$135,000.00 Beginning POH - \$135,000.00 Ending POH - \$135,000.00  Administrator - <b>waives</b>  Attorney - <b>waives</b>  <b>Distribution pursuant to intestate succession and assignments of interest is to:</b>  Roy Graves, Jr. - 25% interest in real property.  Daniel Graves - 25% interest in real property.  Dolores G. Simon - 25% interest in real property.  Doris G. Duke - 25% interest in real property.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
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<input checked="" type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b> W/		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b> 4/15/14		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
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<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by: KT</b> <b>Reviewed on: 12/1/15</b> <b>Updates:</b> <b>Recommendation: SUBMITTED</b> <b>File 7 - Graves</b>	

**First and Final Account and Report of Administrator and Petition for its Settlement,  
for Allowance of Compensation to Administrator and Attorneys for Ordinary Services and Extraordinary Services  
and for Final Distribution**

DOD: 11/24/11		LEO KERMOYAN, Administrator with Will Annexed, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
		Account period: 04/22/14 – 08/19/15	
Cont. from 110315		Accounting: \$511,355.84	SEE PAGE 2
Aff.Sub.Wit.		Beginning POH: \$450,000.00	
✓ Verified		Ending POH: \$389,385.53 (\$372,330.89 is cash)	
✓ Inventory			
✓ PTC		Administrator: \$12,305.18 (statutory)	
✓ Not.Cred.		Administrator x/o: \$250.00 (12.5 hours @ \$20/hr. for preparation of apartment property to be sold)	
✓ Notice of Hrg		Attorney: \$12,305.18 (statutory)	
✓ Aff.Mail	w/	Attorney x/o: \$9,702.25 (6.2 attorney hours @ \$350/hr. and 45.7 paralegal hours @ \$165/hr. for work performed in connection with the sale of apartment property; itemization provided)	
Aff.Pub.		Costs: \$434.00 (publication, certified copies)	
Sp.Ntc.		Closing: \$7,500.00	
Pers.Serv.		Petitioner requests distribution as follows:	
Conf. Screen		Sheryl Kermoyan - \$168,842.89 cash, plus receivable from the Estate of Rose Kermoyan in the amount of \$4,601.58	
Letters	01/26/15	Leo Kermoyan - \$49,049.83 cash, plus receivable from the Estate of Rose Kermoyan in the amount of \$1,533.86	Reviewed by: JF Reviewed on: 12/01/15 Updates: Recommendation: File 8 – Kermoyan
Duties/Supp		Kathy Kermoyan - \$55,660.60 cash, plus receivable from the Estate of Rose Kermoyan in the amount of \$1,533.86	
Objections		David Kermoyan - \$56,280.96 cash, plus receivable from the Estate of Rose Kermoyan in the amount of \$1,533.85	
Video Receipt			
CI Report			
✓ 9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
✓ FTB Notice			

**NEEDS/PROBLEMS/COMMENTS:**

1. The proposed distribution does not match the decedent's will. Article Fifth of the will devises the residue of the estate  $\frac{1}{2}$  to Sheryle Kermoyan and  $\frac{1}{2}$  to Rose Kermoyan. Both Sheryle and Rose survived the decedent; therefore, it appears this estate should be distributed  $\frac{1}{2}$  to Sheryle Kermoyan and  $\frac{1}{2}$  to the Estate of Rose Kermoyan (DOD: 02/27/14; case No. 15CEPR00620).
2. The Petition indicates that distributions were made for the benefit of Leo Kermoyan, Kathy Kermoyan and the Estate of Rose Kermoyan and lists these distributions as "receivables" that are estate assets distributed to the beneficiaries. These distributions appear to constitute preliminary distributions made without a court order, and in the case of Leo and Kathy Kermoyan, were paid to parties that are not beneficiaries of this estate. It appears that Leo and Kathy Kermoyan will need to repay these distributions to the estate.
3. The Petition indicates that the Estate of Rose Kermoyan received \$9,203.15 in preliminary distributions. Need receipt from the personal representative of the Estate of Rose Kermoyan (Leo Kermoyan) for these preliminary distributions.
4. Need Order. **Note:** Pursuant to Local Rule 7.12.6B – Where the closing reserve is in excess of \$5,000.00, an order for final distribution of an estate shall specifically set forth the use that may be made of the funds retained for closing reserve.

**Note:** Pursuant to Local Rule 7.12.6, a Status Hearing will be set as follows:

- **Monday, June 6, 2016 at 9:00 a.m. in Dept. 303** for an Informal Accounting of the \$7,500.00 closing reserve.

Pursuant to Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. **Filing of the informal accounting of closing reserve will not generate a new hearing date.**

## Probate Status Hearing Re: Review Need for Conservatorship

	<b>PUBLIC GUARDIAN</b> , was appointed Successor Conservator of the Person with medical consent powers on 06/08/15. Letters of Conservatorship were issued on 06/12/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need status report regarding need for continued conservatorship.
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>	<b>Minute order from 06/08/15</b> set this status hearing re: Review need for Conservatorship.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	<b>Status Report Regarding Continued Need for Conservatorship</b> filed 12/02/15 states: the Public Guardian is actively reconnecting the conservatee to mental health services. If he plugs into outpatient services, the PG thinks he will have the foundation he needs to function more independently. The conservatee currently requires a lot of prompting, and due to his medical needs, he must make it to his doctor's appointments. He has only one kidney from birth and currently has a catheter. If his medical condition improves, including removal of the catheter, and mental health is able to successfully address his medication and psychiatric needs, the PG believes the conservatorship would not be necessary any longer. The PG requests that this matter be set in another six months to determine if the conservatorship needs to continue or can be terminated.	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		<b>Reviewed by:</b> JF
<b>Status Rpt</b>		<b>Reviewed on:</b> 11/30/15
<b>UCCJEA</b>		<b>Updates:</b> 12/02/15
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 9 - Keys</b>

## Probate Status Hearing RE: Receipt for Blocked Account

		<b>DEBORAH TITUS</b> , Conservator, petitioned the court for an Order Confirming Sale of Real Property.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> A Status Hearing for the Filing of the First Account was set for 12/21/15. The court is dark on 12/21/15. Therefore, the Court may wish to reschedule the status hearing for <b>January 13, 2016 at 9:00 a.m. in Dept. 303.</b>  <b>Continued from 8/10/21/15 to be heard with the petition on page 10B.</b>  1. <b>Need receipt for blocked account or current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 082615, 102115			
	Aff.Sub.Wit.	The Order Confirming Sale of Real Property was signed on 7/29/15. The proceeds from the sale were ordered placed into a blocked account.	
	Verified		
	Inventory	Minute Order dated 7/29/15 set this status hearing for receipt for blocked account.	
	PTC		
	Not.Cred.	<b>Status Report filed on 10/19/15 states</b> the 1/2 interest in real property asset of the estate was sold, yielding net proceeds of \$33,452.57. The check in payment of same remains with the attorney for the conservator.	
	Notice of Hrg		
	Aff.Mail	A Petition for Order Directing Establishment of a Pooled Special Needs Trust has been filed to create a pooled special needs trust into which these proceeds will be deposited upon its creation, in order to avoid the Conservatee losing her Medi-Cal benefits.	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

10A

**Petition for Order Directing Establishment of a Pooled Special Needs Trust,  
Setting Bond, Authorizing Trustee's Fees, and Approving Attorney's Fees**

		<b>DEBORAH TITUS</b> , Conservator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Florence E. Dolby b. Department of Health Care Services. c. Department of State Hospitals. d. Department of Developmental Services. 3. Petition make reference to Exhibits A and B. No exhibits were attached to the Petition. 4. Need copy of proposed special needs trust. 5. Probate Code §3604(d) states and order for payment of money to a special needs trust shall include a provision that all statutory liens in favor of the Department of Health Care Services, the State Department of State Hospitals, the State Department of Developmental Services, and any county or city and county in the state shall first be satisfied. Petition does not address whether or not any liens have been satisfied.  <b>Please see additional page</b>
		<b>Petitioner states</b> conservatee's disabilities require her to have help with daily activities. She resides at Sierra Vista Healthcare Center, where she receives 24-hour care. Because of her disabilities conservatee receives Social Security survivor benefits, Medicare and Medi-Cal health care services.	
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>	X	
	<b>Aff.Mail</b>	X	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>	X	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<p>On 8/21/15, conservatee's ½ interest in real property, her prior residence, was sold. Conservatee will receive \$37,452.57. The outright distribution of this sum to her will render her ineligible for Medi-Cal, which is an essential component of the funding stream which provides for her group home placement. Therefore, to retain eligibility for these essential public benefits, proceeds from the sale of the conservatee's residence must be transferred to a pooled special needs trust.</p> <p>Petitioner proposes that Conservatee's share of the sale proceeds be deposited with the Golden State Pooled Trust. The proposed Golden Pooled Trust meets the requirements of 42 U.S.C. 1396(d)(4)(C), as modified by 22 C.C.R. §50489.9.</p> <p>The Golden Statue Pooled Trust was created, and is managed by the North Bay Housing Coalition, a California not-for-profit corporation located in Napa, California. Currently there are approximately 130 beneficiaries of the Golden State Pooled Trust with sub-accounts totaling almost \$10.5 million.</p> <p align="center"><b>Please see additional page</b></p>	
			<b>Reviewed by: KT</b> <b>Reviewed on: 12/2/15</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 10B - Dolby</b>



The proposed Golden State Pooled Trust also meets all the requirements of California Rules of Court 7.903(c).

The Petitioner, Deborah Titus, the conservator of the Person and Estate, shall serve as the Beneficiary Advocate. All distributions requested by the Beneficiary Advocate are reviewed by Golden State Pooled Trust for appropriateness and compliance with benefit laws.

Pursuant to Probate Code §2643, Petitioner requests that the Court authorize the Trustee to receive an initial \$1,500.00 set up fee, and annual payments on account at the rate of 1.5% of the funds in the individual sub-account or \$1,500.00, whichever is greater.

Petitioner requests that the trust be authorized to invest in mutual funds with a terms longer than five years.

Petitioner requests attorney fee for her attorney, Gary Bagdasarian as set forth in the Declaration of Gary Bagdasarian. (**Note:** As of 12/1/15 Declaration of Gary Bagdasarian has not been filed.)

**Wherefore, Petitioner prays for an Order:**

1. Directing the establishment of a Pooled Special Needs Trust for Florence E. Dolby for receipt of the proceeds from the sale of her ½ interest in her former residence;
2. Authorizing and directing the Conservator to execute the necessary documents including the Joinder Agreement, in order to establish Florence Dolby's account in the Golden State Pooled Trust in accordance with the Court-Directed Joinder Agreement;
3. Authorizing the Trustee of the Golden State Pooled Trust to invest in mutual funds held and traded within the United States, and in government bonds maturing in less than five years;
4. Setting bond in the amount of \$34,000.00 to be secured by the Trustee of the Golden State Pooled Trust;
5. Authorizing Golden State Pooled Trust a \$1,500.00 set up fee, and ongoing fees paid on account at the rate of 1.5% per annum with a \$1,500.00 minimum, with said fees to be reported and confirmed by the Court at the time of periodic accountings;
6. Requiring periodic accounts and reports of the Trustee to be filed with the Court in accordance with procedures and schedule set forth in the California Probate Code;
7. Authorizing and directing the Trustee to pay Gary Bagdasarian for legal services and costs in an amount approved by the court, and set forth in the Declaration of Gary Bagdasarian.

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**NEEDS/PROBLEMS/COMMENTS (cont.):**

6. Need Declaration of Gary Bagdasarian re: attorney fees.
7. Need proof of service, 15 days prior to the hearing of the Declaration of Gary Bagdasarian re: attorney fees on all interested parties.
8. Petition request authority to invest in mutual funds with a maturity date greater than five years. Prayer allows the investment in mutual funds and government bonds maturing in less than five years. Need clarification.
9. Petition requests authority to invest in mutual funds with a maturity date greater than 5 years. Given the fact that the beneficiary is almost 99 years old, is this request practical?
10. Need order.

**Please see additional page**

**Dept. 303, 9:00 a.m. Monday, December 7, 2015**

If the petition is granted the special needs trust will need to be filed into a new case file.

**Note:** If the petition is granted, status hearings will be set as follows:

- **Wednesday, January 27, 2016** at 9:00 a.m. in Department 303, for the opening of a new Special Needs Trust file and filing of the bond.
- **Wednesday, February 22, 2017** at 9:00 a.m. in Department 303, for the filing of the first account in the Special Needs Trust.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**11A Eugene & Evelyn Ford Family Trust****Case No. 14CEPR00485****Atty Keeler, William J. (for Susan Ford Frantzich – Beneficiary – Petitioner)****Atty Chielpegian, Mark E. (for Casey S. Rogers – Trustee – Respondent)****Amended Petition for Determination of Validity of Trust Amendment**

<b>Eugene M. Ford</b> <b>DOD: 4-25-93</b>		<b>SUSAN FORD FRANTZICH</b> , Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Evelyn I. Ford</b> <b>DOD: 12-23-13</b>				
		<p><b>Petitioner states</b> she is the daughter of decedents Eugene M. Ford and Evelyn Irene Ford and is a beneficiary of the <b>Eugene M. and Evelyn I. Ford Family Trust dated 1-7-91. (Exhibit A)</b></p> <p>Petitioner states <b>Casey Scott Rogers</b> has been acting as Successor Trustee since the death of Mrs. Ford on 12-23-13 pursuant to the Ninth Amendment to Declaration of Trust.</p> <p>The Fords had three children: Nancy Lee Ford of Cambria, CA, Susan Jean Frantzich of Clovis, CA, and Patricia Elaine Coffman of Sanger, CA. The original trust named Nancy, Susan, and Patricia as successor co-trustees.</p> <p>Petitioner states the trust property includes, <i>inter alia</i>, real property known as the Quail Oaks Ranch. Among other provisions, the trustee had the power to "apportion and allocate assets of the trust estate" at Section 8.08A. The trust also gave the surviving spouse the power to "amend, revoke, or terminate" the Survivor's Trust at Section 2.03(D).</p>	<p><u><b>SEE ADDITIONAL PAGES</b></u></p> <p><b>Minute Order 9/14/15:</b> Ms. Gould reports that the related estate case (14CEPR00536) is in appeals; the opening brief was just filed last week so the appeal could go on for the next year. Mr. Cobb requests that the issue of ownership of the Tollhouse property be reserved and that the accounting be approved. The matter is continued in order for Mr. Keeler to be present.</p> <p><b>Note:</b> Mr. Rogers filed two discovery motions on 11/3/15 that are set for hearing on 1/6/16.</p> <p><b>Note:</b> It does not appear trial has been set in either this matter or the matter at Page B.</p>	
Cont. from 110614, 111714, 091415, 110215				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input checked="" type="checkbox"/>	Response			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	x		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<u><b>SEE ADDITIONAL PAGES</b></u>			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 11/30/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 11A – Ford</b>	

**11A**

**Page 2****Petitioner states:**

- On 12-1-92, Mr. and Mrs. Ford signed the 1<sup>st</sup> Amendment, which amended the trust to name A. Douglas Flint, in the alternative Michael S. Pistoresi, as successor trustees, among other changes. (Exhibit B)
- On 4-25-93, Mr. Ford died and Mrs. Ford became the sole trustee.
- On 6-21-96, Mrs. Ford signed the 2<sup>nd</sup> Amendment, which amended the trust to appoint the Survivor's Trust to her then-living daughters. (Exhibit C)
- On 1-16-03, Mrs. Ford signed the 3<sup>rd</sup> Amendment, revoking the 1<sup>st</sup> and 2<sup>nd</sup> Amendments and amending the trust to name Nancy, Susan and Patricia as successor co-trustees. (Exhibit D)
- On 6-12-03, Mrs. Ford signed the 4<sup>th</sup> Amendment, revoking the 3<sup>rd</sup> Amendment and appointing the Survivor's Trust to her then-living daughters. The 4<sup>th</sup> Amendment also amended the trust to name Robert G. Carter as successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit E)
- On 10-24-03, Mrs. Ford signed the 5<sup>th</sup> Amendment, appointing \$12,500 each to Ronald McKenzie, Joanne Stanion, and Samantha Cole. (Exhibit F)
- On 7-7-09, Mrs. Ford signed the 6<sup>th</sup> Amendment, revoking all previous amendments and appointing Casey Scott Rogers as successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit G)
- On 3-29-12, Mrs. Ford signed "a trust amendment" naming Petitioner Susan Frantzich as successor trustee. (Exhibit H)
- On 5-10-12, Mrs. Ford signed the 8<sup>th</sup> Amendment, revoking all prior amendments and appointing James M. Bell as successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit I)
- On 3-6-13, Mrs. Ford signed a document stating: "Upon my death, my daughter Susan Ford Frantzich will inherit the Quail Oaks Ranch 'barn compound,' and adjacent 40 acres." (Exhibit J)
- On 3-14-13, Mrs. Ford signed the 9<sup>th</sup> Amendment, purportedly revoking the 1<sup>st</sup> through 8<sup>th</sup> Amendments, and purportedly appointing Casey Scott Rogers as successor trustee, with James M. Bell as next successor trustee, then Nancy, Susan and Patricia as successor co-trustees. (Exhibit K)

**SEE ADDITIONAL PAGES**

## Page 3

**Petitioner states** she has filed a Petition for Probate in this matter to ensure the Court has the power to enforce Mrs. Ford's intent as expressed in Exhibit J whether it is determined to have been expressed as a codicil or a trust instrument.

Petitioner states Mrs. Ford had the power to amend the Survivor's Trust, and frequently exercised that power before her death. She also had the power to allocate the assets of the trust, including the Quail Oaks Ranch property. Mrs. Ford handwrote the document to leave the Quail Oaks Ranch property "barn compound" and adjacent 40 acres to Petitioner. She had her caregiver, Hilda Ceballos, witness the document, showing the gravity and seriousness of her intent to make a change to the disposition of her estate plan. She satisfied the requirements of the trust for amendment by delivering a copy to herself as sole trustee. Petitioner requests that this Court order that the 3-6-13 document is a valid trust amendment.

**Petitioner requests that the Court order the following:**

1. **Declare the document signed on 6-3-13 is a valid trust amendment;**
2. **For costs herein; and**
3. **For such other orders as the Court may deem proper.**

**Response filed 10-8-14 by Casey S. Rogers, Trustee, states** the handwritten document does not constitute a valid amendment to the Survivor's Trust. Mr. Rogers believes he is authorized and directed to oppose the petition, as it has been informally raised whether his opposition would constitute a breach of his fiduciary duties (impartiality) to petitioner as a beneficiary.

In light of the conflict issue raised by Petitioner, Mr. Rogers intends to file a separate petition for instructions as to whether he is authorized and empowered to object to and oppose this petition.

**Respondent requests this Court order that:**

1. **The petition be continued pending the determination of Respondent's anticipated petition for instructions; and**
2. **Such further order be made as this Court may deem proper.**

**Note: Respondent's Petition for Instructions was heard 11/17/14. The Court's Order thereon was entered on 2/12/15.**

Page 4

**NEEDS/PROBLEMS/COMMENTS:**

**Note:** The verification is signed by Petitioner's attorney on her behalf.

1. **Need verification of correct service list.** At #4 of the petition, Petitioner provides names and addresses of those entitled to notice. However, the Notice of Hearing filed 9-29-14 indicates mailing to some people at different addresses than were listed in the petition. Need clarification regarding notice to:
  - Petitioner Susan Frantzich's address: Tollhouse Road or Sample Road?
  - Brandon Rogers: Woodrow Avenue or Saginaw Way?(Also note: Why was notice sent "C/O" ? Direct notice is required per Cal. Rules of Court 7.51.)
  - Casey Scott Rogers: Woodrow Avenue or Lane Avenue?
2. **Need order.**

Attorney Cobb, Lee S.W. (for Casey S. Rogers – Trustee – Petitioner)

Petition to Settlement and Approve First Account and Report of Administration of the Eugene M. and Evelyn I Ford Family Trust - Survivor's Trust; The Eugene M and Evelyn I Ford Family Trust - Marital Trust; and the Eugene M. and Evelyn I. Forf Family Trust - Credit Trust

Eugene M. Ford DOD: 4/25/93	CASEY S. ROGERS, Trustee, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order 11/2/15:</b> Mr. Keeler states that he wants an amended accounting that is accurate; Mr. Cobb represents that the accounting balances and is correct. Mr. Keeler requests time to meet and confer after the pending depositions set for later this week on the litigation side of this matter. The Court reserves the issue of attorney fees. Mr. Cobb represents that the Pre-trial Discovery Request will be filed in Civil Unlimited tomorrow.  <b>Minute Order 9/14/15:</b> Ms. Gould reports that the related estate case (14CEPR00536) is in appeals; the opening brief was just filed last week so the appeal could go on for the next year. Mr. Cobb requests that the issue of ownership of the Tollhouse property be reserved and that the accounting be approved. The matter is continued in order for Mr. Keeler to be present.  <b>Note:</b> Mr. Rogers filed two discovery motions on 11/3/15 that are set for hearing on 1/6/16.  <b>Note:</b> It does not appear trial has been set in this matter or the matter at Page A.  <b>Update:</b> A status report was filed 12/3/15 by Casey S. Rogers. See Page 3.  <b>1. Need order. See Local Rule 7.1.1.F.</b>
Evelyn I. Ford DOD: 12/23/13	Account period: 12/23/13-12/31/14		
	Survivor's Trust Accounting: \$2,447,327.99		
	Survivor's Trust Beginning POH: \$2,423,730.79		
	Survivor's Trust Ending POH: \$ 258,261.60		
Cont. from 081015, 091415, 110215	Marital Trust Accounting: \$1,793,172.79		
Aff.Sub.Wit.	Marital Trust Beginning POH: \$1,461,938.69		
✓ Verified	Marital Trust Ending POH: \$1,307,834.52		
Inventory	Credit Trust Accounting: \$1,814,286.07		
PTC	Credit Trust Beginning POH: \$1,800,300.00		
Not.Cred.	Credit Trust Ending POH: \$0		
✓ Notice of Hrg	Petitioner states upon the death of Eugene M. Ford on 4/25/93, the Family Trust was divided into three separate subtrusts: The Survivor's Trust, the Marital Trust, and the Credit Trust. Evelyn I. Ford executed various amendments and other testamentary documents thereafter. Following her death, Susan Frantzich produced a handwritten document dated 3/6/13.		
✓ Aff.Mail	W	On or about 9/22/14, Beneficiary Susan Frantzich filed an Amended Petition for Determination of Validity of Trust Amendment, which disputes the distribution provisions of the Survivor's Trust and the Marital Trust. The Frantzich Petition is currently on hold pending a determination of the appeal: On 8/20/14, the Will, First Codicil, Second Codicil, and Third Codicil were admitted to probate and Petitioner Casey Scott Rogers was appointed as Executor by order of this Court in 14CEPR00536. Petitioner believes there are no assets subject to administration in the estate.	
Aff.Pub.		On or about 11/4/14, Ms. Frantzich filed a notice of Appeal which is currently pending in the Fifth District Court of Appeal in F070917.	
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
✓ Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

SEE ADDITIONAL PAGES

**Petitioner states** this petition is reasonably necessary for the protection of the interests of both the trustee and the beneficiaries of each subtrust given the ongoing disputes and/or objections related to the administration of each trust as raised by Ms. Frantzich. By means of this petition, the trustee seeks timely determination of all matters presented in this account.

Petitioner provides first accounts for each of the three subtrusts for account period 12/23/13 through 12/31/14 and describes misc. matters:

- **Subtrust Funding Plan.** Upon the death of Eugene M. Ford, the assets of the Family Trust were divided and allocated among the three subtrusts; namely, the Survivor's Trust, the Marital Trust, and the Credit Trust. Although the subtrust funding plan (Exhibit S) provided for allocation of the various real properties among the subtrusts, Evelyn I. Ford inadvertently failed to change record title to the various assets in a manner consistent with the subtrust funding plan. Rather, title to various assets remained in the Family Trust. Notwithstanding the failure to change title, Petitioner believes that at all relevant times, Evelyn I. Ford administered the subtrusts in a manner consistent with the allocation of assets provided in the subtrust funding plan, including the filing of taxes through the years. Petitioner has continued to administer the assets of each trust and has prepared the accounting for each trust consistent with the subtrust funding plan.
- **Short Sale of Beach House.** Pursuant to the Subtrust Funding Plan, the Beach House in Pebble Beach, CA, was allocated and distributed 50% to the Survivor's Trust, 7.64% to the Marital Trust, and 42.36% to the Credit Trust. During her lifetime, Evelyn I. Ford obtained a reverse mortgage secured by the beach house. Pursuant to its terms, the outstanding principal and accrued but unpaid interest became due immediately upon her death. As of 1/31/14, the outstanding balance on the reverse mortgage was \$5,172,316.00. The beach house was ultimately sold through a short sale for a total of \$4,250,000.00. After consulting with the accountant, Petitioner is informed and believes that the short sale did not result in any federal and state income taxes with respect to the interest owned by the Survivors and Marital Trusts; however, the sale resulted in federal and state income taxes in the sum of \$399,846.00 with respect to the Credit Trust. The Credit Trust is insolvent such that it will not be able to pay any of the taxes due and owing. Petitioner is in the process of preparing federal and state fiduciary income tax returns consistent with that set forth above.
- **Trustee Compensation In Regard to Short Sale.** Petitioner states he expended considerable time and effort to secure the lender's consent to the sale, which included paperwork, following up on status, and other communications with the lender. Petitioner is a licensed real estate agent, experienced in short sales, and the services provided were of the type typically performed by the listing agent. In recognition of this, the listing agent and broker offered to and did pay Petitioner a short sale processing fee of \$27,597.50 (1% of the total commission payable). The processing fee is the standard and customary fee paid in these types of transactions to a referring agent, particularly where the referring agent spent considerable time navigating the short sale process, and was only paid because Petitioner is a licensed real estate agent. It did not result in any increased costs of sale given that the commission was already due and payable to Coldwell Banker as the agent and broker. Under the terms of each trust, the trustee is entitled to reasonable compensation for services rendered. Petitioner therefore respectfully requests the Court authorize and approve the payment of the short sale processing fee of \$27,597.50 as reasonable compensation for services rendered by Petitioner in connection with the short sale of the beach house.



**Petitioner requests this Court to order that:**

1. The Petition to Settle and Approve First Account and Report of Administration of the three subtrusts be settled, allowed and approved as filed;
2. The first account of the Survivor's Trust be settled, allowed, and approved, and all acts and transactions of Petitioner as set forth herein or relating to matters set forth herein be ratified, confirmed and approved;
3. The first account of the Marital Trust be settled, allowed, and approved, and all acts and transactions of Petitioner as set forth herein or relating to matters set forth herein be ratified, confirmed and approved;
4. The first account of the Credit Trust be settled, allowed, and approved, and all acts and transactions of Petitioner as set forth herein or relating to matters set forth herein be ratified, confirmed and approved;
5. Casey S. Rogers, as trustee, is authorized to accept the short sale processing fee of \$27,597.50 as his reasonable compensation for services rendered as trustee in connection with the short sale of the beach house; and
6. Such further order be made as this Court may deem proper.

**Objection filed 8/7/15 by Susan Ford Frantzich states** the accounts for the three subtrusts do not provide the detail required by Probate Code §1061 et seq. A comparison of the schedules shows incompatible figures for purported transactions between the subtrusts. The Property on Hand shown for the Marital Trust shows property to which title is presently undetermined based on Evelyn Ford's handwritten document. The compensation received related to the sale of a trust asset is inappropriate and a breach of the trustee's fiduciary duties. See Objection for specific discussion.

**Objector requests the Court order the following:**

1. Deny the trustee's prayer for approval and settlement of his first account and report;
2. Order the trustee to properly and fully report and account;
3. Award Objectors' reasonable attorneys' fees and costs by determining that the trustee's first account has been filed and submitted in bad faith; and
4. For such other and further relief as the Court deems proper.

**Petitioner filed Reply in Support of Petition on 9/10/15. Petitioner states** the objection of Frantzich is made in bad faith and is further evidence of her intent to obstruct and delay the orderly administration of the trust estate.

**Status Report filed 12/3/15 by Casey S. Rogers, Trustee, states** at the hearing on 11/2/15, counsel for Frantzich requested an evidentiary hearing in regard to the first account. The Court continued the hearing to 12/7/15 and invited counsel to meet and confer in an attempt to resolve objections pending setting an evidentiary hearing. Following the hearing, counsel met to discuss. On or about 11/24/15, Petitioner's counsel sent an email to counsel for Frantzich inquiring as to the status of the objections. A follow-up email was sent 11/30/15. Response was received 12/1/15, and based on the response it appears unlikely that the parties will be able to resolve their issues informally. Accordingly, in light of Frantzich's desire to move forward with her objections, Petitioner requests that an evidentiary hearing be set without further delay.



**First Amendment to Co-Trustees' First Account and Petition for Its Approval; for Approval and Allowance of Trustees' and Attorney's Fees and Costs; and for Surcharge of Litigation**

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="3"><b>Albert H. Brown</b></td></tr> <tr><td colspan="3"><b>DOD: 6/23/11</b></td></tr> <tr><td colspan="3"><b>Tinnie Lee Brown</b></td></tr> <tr><td colspan="3"><b>DOD: May 2008</b></td></tr> <tr><td colspan="3"> </td></tr> <tr><td colspan="3"> </td></tr> <tr><td colspan="3"> </td></tr> <tr><td colspan="3"> </td></tr> <tr><td colspan="3"> </td></tr> <tr><td> </td><td><b>Aff.Sub.Wit.</b></td><td> </td></tr> <tr><td>✓</td><td><b>Verified</b></td><td> </td></tr> <tr><td> </td><td><b>Inventory</b></td><td> </td></tr> <tr><td> </td><td><b>PTC</b></td><td> </td></tr> <tr><td> </td><td><b>Not.Cred.</b></td><td> </td></tr> <tr><td>✓</td><td><b>Notice of Hrg</b></td><td> </td></tr> <tr><td>✓</td><td><b>Aff.Mail</b></td><td>W</td></tr> <tr><td> </td><td><b>Aff.Pub.</b></td><td> </td></tr> <tr><td> </td><td><b>Sp.Ntc.</b></td><td> </td></tr> <tr><td> </td><td><b>Pers.Serv.</b></td><td> </td></tr> <tr><td> </td><td><b>Conf. Screen</b></td><td> </td></tr> <tr><td> </td><td><b>Letters</b></td><td> </td></tr> <tr><td> </td><td><b>Duties/Supp</b></td><td> </td></tr> <tr><td>✓</td><td><b>Objections</b></td><td> </td></tr> <tr><td> </td><td><b>Video Receipt</b></td><td> </td></tr> <tr><td> </td><td><b>CI Report</b></td><td> </td></tr> <tr><td> </td><td><b>9202</b></td><td> </td></tr> <tr><td>✓</td><td><b>Order</b></td><td> </td></tr> <tr><td> </td><td><b>Aff. Posting</b></td><td> </td></tr> <tr><td> </td><td><b>Status Rpt</b></td><td> </td></tr> <tr><td> </td><td><b>UCCJEA</b></td><td> </td></tr> <tr><td> </td><td><b>Citation</b></td><td> </td></tr> <tr><td> </td><td><b>FTB Notice</b></td><td> </td></tr> </table>	<b>Albert H. Brown</b>			<b>DOD: 6/23/11</b>			<b>Tinnie Lee Brown</b>			<b>DOD: May 2008</b>																			<b>Aff.Sub.Wit.</b>		✓	<b>Verified</b>			<b>Inventory</b>			<b>PTC</b>			<b>Not.Cred.</b>		✓	<b>Notice of Hrg</b>		✓	<b>Aff.Mail</b>	W		<b>Aff.Pub.</b>			<b>Sp.Ntc.</b>			<b>Pers.Serv.</b>			<b>Conf. Screen</b>			<b>Letters</b>			<b>Duties/Supp</b>		✓	<b>Objections</b>			<b>Video Receipt</b>			<b>CI Report</b>			<b>9202</b>		✓	<b>Order</b>			<b>Aff. Posting</b>			<b>Status Rpt</b>			<b>UCCJEA</b>			<b>Citation</b>			<b>FTB Notice</b>		<p><b>GLEN A. BROWN and PAMELA J. BOLIN,</b> Co-Trustees, are Petitioners.</p> <p><b>Account period: 6/23/11 through 8/31/15</b>  Accounting: \$496,061.28  Beginning POH: \$432,652.20  Ending POH: \$197,303.26  (\$155,803.26 cash plus unimproved real property in Shasta County, personal property items, a promissory note from Glen A. Brown in the amount of \$12,000.00 and \$2,000.00 in reimbursement owed to the trust by Glen A. Brown for excess distribution)</p> <p><b>Co-Trustee Glen A. Brown: \$1,143.62</b>  (\$1,500.00 less \$356.38 returned)</p> <p><b>Co-Trustee Pamela J. Bolin: \$1,507.00</b>  In light of the \$432,652.20 value of the assets at commencement of administration, Petitioners believes the total trustee fees of approx. 0.7% of the total value are reasonable and ask that the Court approve the payment of these fees.</p> <p><b>Barrus and Roberts, PC: \$1,970.00 (paid during account period) plus \$11,911.43 plus \$870.00 filing.</b> Petitioners request the Court approve payment of the fees paid, plus the additional fees and costs as well as additional fees and costs incurred after 10/31/14 as billed to Petitioners. See Exhibit 5.</p> <p align="center"><b><u>SEE ADDITIONAL PAGES</u></b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note re history:</u> On 11/10/14, Co-Trustees Glen A. Brown and Pamela J. Bolin filed their First Account and Petition for its Approval; for Approval and Allowance of Trustees' and Attorney's Fees and Costs; and for Surcharge of Litigation Fees and Costs. Anita Payne objected.</p> <p><u>Minute Order from Settlement Conference on 12/3/15 states, in relevant part:</u> Parties reach settlement and state their agreement for the record. The agreement is signed by each party and by counsel in open court. The Court orders that the original agreement be attached to the Petition for Distribution as an exhibit, along with receipts for prior distributions.</p> <p align="center"><b><u>SEE ADDITIONAL PAGES</u></b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td><b>Reviewed by:</b> skc</td></tr> <tr><td><b>Reviewed on:</b> 11/30/15</td></tr> <tr><td><b>Updates:</b> 12/1/15</td></tr> <tr><td><b>Recommendation:</b></td></tr> <tr><td><b>File 13 - Brown</b></td></tr> </table>	<b>Reviewed by:</b> skc	<b>Reviewed on:</b> 11/30/15	<b>Updates:</b> 12/1/15	<b>Recommendation:</b>	<b>File 13 - Brown</b>
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**Petitioners state** Distributions were made as follows: \$2,500 each to eight of the trustors' grandchildren, \$60,000 each to Kathy Short and Dennis Brown, and \$62,000 to Glen A. Brown; however, Petitioners agree that Glen A. Brown shall return the excess distribution of \$2,000 to the trust. Distributions to the two remaining children of the trustors, Pamela J. Bolin and Anita Payne, have been agreed by them to consist of the proceeds from the sale of the residence (\$155,774.25), subject to adjustments made as described on Exhibit 3.

The personal property items are to be distributed in accordance with the settlement agreement, with any items not addressed therein distributed in the co-trustees' discretion. The unimproved real property in Shasta County, CA, will be distributed in accordance with the settlement agreement and the trust provisions. The \$12,000 note owed by Glen A. Brown will be paid to the trust and distributed equally between Pamela J. Bolin and Anita Payne.

Petitioners request that a reserve of \$12,000.00 be held for payment of expenses incurring after this accounting, including but not limited to attorney fees, accountant costs, taxes, and any other costs that may arise. Trustees request that the \$12,000 promissory note be the asset held as the reserve and then when all final expenses have been paid, the balance will be distributed equally between Pamela and Anita.

Petitioners state on 8/23/13, Pamela J. Bolin with the prior knowledge and agreement of Anita Payne, obtained a loan in the amount of \$30,000 to pay what was inadvertently miscalculated as a deficiency in the trust payment to Glen A. Brown and to provide funds for roof repair on the Sylmar residence. Funds were disbursed \$12,000 to Glen A. Brown, \$6,000 as a loan, \$6,000 on the belief that the trust still owed him that amount; \$3,000 to the trust checking account, and \$15,000 retained by Pamela as an advance on her share.

Pursuant to the settlement agreement, the parties have agreed that the \$27,000 will be returned to the trust: \$15,000 will be charged against Pamela's share and Glen has executed a note for \$12,000.

Unlawful Detainer filed against Deborah Payne: The trust incurred costs relative to the unlawful detainer action and in the escrow documents related to the sale of the residence, Anita Payne agreed to imposition of a penalty against her share in the amount of \$5,000. Pursuant to the settlement agreement, this represents full satisfaction of any liability of Anita and her issue pursuant to the unlawful detainer action.

**Petitioners pray for an order:**

1. Settling and allowing the account and report and approving and confirming the acts of Petitioners for the account period of 3/23/11-8/31/15;
2. Approving the payments made from the trust for trustees' fees in the amount of \$1,143.62 to Glen A. Brown and \$1,507.00 to Pamela J. Bolin;
3. Approving the attorneys' fees and costs of \$1,970.00 paid to Barrus and Roberts, PC, during the account period, and the payment of \$12,781.43 representing additional fees and costs incurred through this petition; and
4. For such other orders as the Court may deem proper.

**SEE ADDITIONAL PAGES**

**Objection filed 12/1/15 by Anita Payne, Beneficiary, states** the petition should not be settled or approved and the surcharge for litigation fees and costs should not be allowed on the following grounds:

- Overview of concerns: The parties resolved issues at the settlement conference; however, the petition fails to comply with all of the terms and presents new issues that need to be resolved.
- Incomplete details in accounting: Under Probate Code § 16063(b), an accounting must comply with § 1604, along with an explanation of unusual items.
- Further documentation needed: The parties agreed in the settlement agreement that the trustees would provide documentation verifying and explaining specific itemized expenses. Despite repeated requests, Anita has not been provided sufficient information regarding certain payments. See Objection for specific items.
- Further documentation needed for more recent transactions: In addition to the questioned payments above, disbursements are listed which were not included in the first account between 7/1/14 and 8/31/15. Several of these disbursements include cash withdrawals to Pamela Bolin, no receipts provided. The Co-Trustees should produce documentation justifying these cash withdrawals as trust expenses. These withdrawals took over \$6,000 and left only \$29.01 in the account as of 8/31/15.
- The value and distribution of the Hyundai Sonata is not properly reflected in the accounting. See objection for details.
- The Ord Finance Loan was taken out for Pamela Bolin. In the first petition, the trustees claimed a loan was taken out for the trust for \$30,000 for repair of the real property's roof, yet only \$3,000 was paid into the trust account and the roof was never repaired. The parties clarified and settled the matter as reflected in the settlement agreement that the loan is a personal loan to Pamela Bolin and repayment will be made solely out of her share of the proceeds.
- The Order Finance Loan was taken out of the sale proceeds and needs to be returned from Bolin's share. Upon sale, \$30,570 was taken out of the sale price to pay back the loan. This entire amount, less \$3000 that was placed into the trust account by Bolin, is due back to the trust from Bolin. Bolin owes the trust \$27,570 in repayment.
- Bolin's request for repayment of interest should be withdrawn since the loan was for her benefit: Bolin requests \$660 for interest she paid on the Ord Note. This was a private loan and interest should be paid by Bolin.
- Brown's Promissory Note for \$12,000 is not a trust asset and should be removed from the accounting. Objector does not object to keeping \$12,000 as a reserve, but it should be placed into an interest bearing account. Schedules need to be amended to delete the note from Glen Brown and instead reflect a \$27,570 note from Bolin, to be paid out of her share of distribution from the trust.
- Explanation for the interest-free loan from the trust: Since a trust asset was used as security on the Ord Loan, Bolin and Brown should provide an explanation as to why a co-trustee was allowed to take a loan secured by the trust for two years without any compensation to the trust.
- The penalty requested for the unlawful detainer action is barred by the settlement agreement. The co-trustees are continuing to try to get Anita to pay toward the unlawful detainer action. The settlement agreement states that action is resolved in its entirety and there will be no further action against Anita or any of her issue. Despite this, the petition indicates \$5,000 will be taken out of Anita's share for the unlawful detainer action. The language in the referenced addendum does not support the imposition of this penalty. See Exhibit E. It is unintelligible and therefore unenforceable.

• **SEE ADDITIONAL PAGES**

**Dept. 303, 9:00 a.m. Monday, December 7, 2015**

- Adjustments to allocation of net proceeds: The co-trustees are asking the court to approve reimbursements to Bolin from the trust. However, approval of the reimbursements requires further examination. Nothing is attached to support these charges. The interest paid on the Ord Note should certainly not be reimbursed, the \$1,200 to Dennis Toooh is in question. See objection for details.
- The reimbursement of \$2,070 owed to Anita is not a trust expense and should come from Bolin's share. The loan was determined to belong to Bolin and not the trust. The proposed distributions should reflect a division of assets and then the \$2,070 paid out of Bolin's share to Anita.
- The amounts to be charged against Anita's share should not be approved: See objection for details.
- The rights of the other named beneficiaries need to be addressed: If the approval of the accounting also includes an approval of the proposed distributions, the Court should be aware the other beneficiaries may not have waived their interest in available proceeds from the sale of the house.

See also declarations in support by Anita Payne, Deborah Payne, Stefanie Krause.

**Objector requests:**

- 1) that the Co-Trustees' request for approval of the First Account as amended be denied;
- 2) that the Co-Trustees' request to surcharge Anita for litigation fees and costs be denied;
- 3) that Pamela Bolin be surcharged \$30,570 for the amount taken out of the sale of the real property for the Ord Loan;
- 4) That the First Account be amended to correct the insufficiencies described herein; and
- 5) Such other and further relief as the court may deem proper.

**NEEDS/PROBLEMS/COMMENTS:**

1. Pursuant to the Court's Minute Order dated 2/3/15, receipts for the prior distributions were to be attached to this petition. Petitioner provides a spreadsheet of distributions at Schedule C, but no receipts. The Court may require receipts as follows:
  - \$2500 each to the eight (8) grandchildren
  - \$60,000 each to Kathy Short and Dennis Brown
  - \$62,000 to Glen Brown (\$2,000 was to be returned to the trust and \$12,000 owed to Pamela)
  - Distributions pursuant to the petition as well as the settlement agreement, which includes attorney fees to Stephanie Krause and certain payments to Anita Payne, as well as distribution of specific personal property items.

Waiver of First and Final Account and Report of Successor Executor and Petition for Settlement; for Allowance of Compensation to Successor Executor for Ordinary Services and Attorney for Ordinary Services, and for Final Distribution

DOD: 8/29/14		J. PATRICK DODDS, Successor Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived	
		I&A: \$710,658.29	<p>1. The residue distribution amounts do not appear to take into consideration the \$5,000.00 in personal property assets that is proposed to be distributed to the trust; rather, it appears to include this amount.</p> <p>If the \$5,000 in personal property assets are distributed to Mrs. Dodds' trust, then Examiner calculates distribution at \$361,317.63 each.</p>
	Aff.Sub.Wit.	POH: \$744,848.44 (Market value, consisting of personal property items valued at \$5,000.00, decedent's 50% community property interest in various accounts, and a 100% interest in certain accounts, as of 6/30/15)	
✓	Verified	Executor (Statutory): Waived	
✓	Inventory	Attorney (Statutory): \$17,213.17	
✓	PTC	Petitioner states that pursuant to the decedent's will, and the <b>Order on Petition for Order Confirming Trust Assets</b> filed 7/30/15 in 15CEPR00598 (In the matter of the Barbara Jean Dodds Revocable Trust dated 1/20/15), the following distribution will be made from the assets on hand as of 6/30/15:	
✓	Not.Cred.	a) To J. Patrick Dodds, Successor Trustee of the Barbara Jean Dodds Revocable Trust, the assets described in the schedule Confirmation of Assets to Spouse, attached as Exhibit B, consisting of the community one-half interest belonging to the decedent's spouse, Barbara Jean Dodds, as provided in Article Second of the decedent's will valued at \$642,063.77 at date of death, and the decedent's separate property interest in the personal effects, furniture, furnishings, etc., as provided in Article Third of the will, valued at \$5,000.00 at date of death. (Total value of assets: \$659,761.64 as of 6/30/15.)	
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
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	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
<b><u>SEE PAGE 2</u></b>			<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 12/1/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 14 - Dodds</b></p>

## Page 2

- b) Article Fourth of the decedent's will provides that the residue is to pass to the decedent's spouse, Barbara Jean Dodds, if she survives the decedent, in trust. Mrs. Dodds did survive the decedent, but died 2/17/15, before the testamentary trust and subtrusts could be established and funded.

Prior to her death, and in order to avoid probate of her one-half of the community property (passing herein pursuant to Article Second of the decedent's will), Mrs. Dodds established the Barbara Jean Dodds Revocable Trust dated 1/20/15 and was in the process of gathering the necessary paperwork to effectuate a 50/50 split of the community property belonging to herself and the decedent, to be eventually funded one-half into her trust, and one-half into the testamentary subtrusts as provided in the decedent's will. The physical segregation of the community property assets commenced during the probate of the decedent's estate and the concurrent administration of Mrs. Dodds' trust, and the Order entered in the trust matter on 7/30/15 confirmed the passing of her one-half community property interest to the successor trustee, pursuant to Article Second of the decedent's will. The beneficiaries of the trust are the same as the beneficiaries of the testamentary subtrusts (the two sons).

Since Mrs. Dodds died prior to completion of the probate, Petitioner asserts that it is unnecessary to fund the testamentary subtrusts and it would be more practical to allow direct and outright distribution to the remainder beneficiaries.

**Therefore, Petitioner requests distribution of the residue in equal shares as follows:**

J. Patrick Dodds: \$363,817.64

Richard G. Dodds: \$363,817.63



Attorney Stephanie J. Krause Cota (for Petitioner Cathryn J. Cummings)

**First and Final Report of Administrator with Will Annexed on Waiver of Account and Petition for Confirmation and Approval of Acts of Administrator and for Allowance of Compensation to Attorneys for Ordinary Services, and for Final Distribution**

<b>DOD: 10/21/2014</b>		<b>CATHRYN J. CUMMINGS</b> , daughter and Administrator with Will Annexed, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
				1. Need <i>Notice of Hearing</i> and proof of mailed service of the Notice of Hearing pursuant to Probate Code §§ 11601 and 11604(d) for the following person:	
<b>Cont. from</b>		<b>Accounting waived?</b>		• <b>STEVEN SPRING</b> (name uncertain), Attorney in Fact for beneficiary, <b>PATRICIA A. SPRING</b> , as indicated on the <i>Waiver of Accounting by Distributee Patricia A. Spring</i> filed 10/26/2015.	
	<b>Aff.Sub.Wit.</b>			2. <i>Waiver of Accounting by Distributee Patricia A. Spring</i> filed 10/26/2015 is signed by <b>STEVEN SPRING</b> (name uncertain) as Attorney in Fact for beneficiary <b>PATRICIA A. SPRING</b> . Court may require demonstration of the authority of the Attorney in Fact to execute a waiver of accounting on behalf of this beneficiary, such as a copy of the instrument granting that authority.	
✓	<b>Verified</b>	I & A	—	<b>\$45,363.80</b>	
		POH	—	<b>\$44,329.01</b>	
✓	<b>Inventory</b>			<i>(all cash)</i>	
✓	<b>PTC</b>	Administrator	—	<b>waives</b>	
✓	<b>Not.Cred.</b>	Attorney	—	<b>\$1,814.55</b>	
✓	<b>Notice of Hrg</b>	<i>(statutory)</i>			
✓	<b>Aff.Mail</b>	Costs	—	<b>\$850.50</b>	
		<i>(filing fee, publication, certified copies)</i>			
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>	Bond	—	<b>\$176,000.00</b>	
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>	<b>Distribution pursuant to Decedent's Will is to:</b>			
	<b>Letters</b> 052715	• <b>PEGGY J. WAYTE</b> – \$13,887.99 cash;			
	<b>Duties/Supp</b>	• <b>PATRICIA A. SPRING</b> – \$13,887.99 cash;			
	<b>Objections</b>	• <b>CATHRYN J. CUMMINGS</b> – \$13,887.98 cash.			
	<b>Video Receipt</b>				
	<b>CI Report</b>				
✓	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
✓	<b>FTB Notice</b>				
				<b>Reviewed by:</b> LEG	
				<b>Reviewed on:</b> 12/1/15	
				<b>Updates:</b> 12/3/15	
				<b>Recommendation:</b>	
				<b>File 15 - Chester</b>	

**16 Anna B. Ceja (Estate) Case No. 15CEPR00204****Attorney Wall, Jeffrey L (for Rudy Ceja – Administrator)****Probate Status Hearing RE: Proof of Bond**

<b>DOD: 06/16/2006</b>	<b>RUDY CEJA</b> , son was appointed Administrator with full IAEA with bond set at \$10,000.00 on 10/23/2015.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Receipt of Bond in the amount of \$10,000.00.
	Minute Order of 10/03/2015 set this Status Hearing for the filing of the Bond.	
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 12/01/2015
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 16 - Ceja</b>

**17      Evangeline M. Orchard (Estate)      Case No. 15CEPR00556**

**Attorney   Kruthers, Heather H (for Public Administrator)**

**Probate Status Hearing RE: Filing of the Inventory and Appraisal**

<b>DOD: 12/24/2012</b>	<b>PUBLIC ADMINISTRATOR</b> , was appointed Administrator with Will Annexed with full IAEA without bond on 08/26/2015.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Letters issued on 08/28/2015.	1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Cont. from</b>	Minute Order of 08/17/2015 set this Status Hearing for the filing of the Inventory and Appraisal.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 12/01/2015
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 - Orchard</b>

Petitioner Verduzco, Joaquin (Pro Per – Step-Father)

Attorney Lovegren-Tipton, Amy R. (for Sandra Kozorra aka Frizel – Objectior -Maternal Grandmother)

**Petition for Appointment of Guardianship of the Person**

		<b><u>TEMPORARY EXPIRES 12/07/2015</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		JOAQUIN VERDUZCO, step-father, is petitioner.	<p>Minute Order of 11/02/2015: Examiner notes provided in open Court. Justin Tidey, father of Krysta, represents that his mother's name is Michelle Tidey and his father's name is Keith Stevens, providing an address for his mother and offering to provide his father's after he obtains it. Ms. Tipton states she will provide Petitioner with an address for her client, maternal grandmother, Sandra Kozorra. Petitioner is directed to provide his address for service of objection documents, but the Court orders that Deena Kozorra not go near Petitioner's home. Any written objections are to be filed and properly served by 11/25/2015. The Court orders that temporary Letters shall issue to Joaquin Verduzco, without prejudice, to preserve the status quo. The Court orders supervised visitation for Deena Kozorra every Saturday from 11am to 1pm at the McDonald's on Kings Canyon and Maple. If Ms. Kozorra is more than 15 minutes late for any visit, then she loses that visit. The Court orders the Court Investigator to interview all parties and report back to the Court with a recommendation.</p> <p style="text-align: center;"><u>Continued on final page</u></p>
Cont. from 091415, 110215		<u>Please see petition for details</u>	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 12/01/2015
			Updates:
			Recommendation:
			File 18 - Kozorra

**NEEDS/PROBLEMS/COMMENTS continued:**

1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:

- Jason Ray Boulware (Father of Amarissa)
- Justin Tidey (Father of Krysta)

**Note:** Justin Tidey was served by mail on 11/24/2015, only 13 days prior to the hearing and not the 15 days as required. Service was also by mail and not personal service as required.

- Deena Fay Kozorra (Mother)

**Note:** Deena Fay Kozorra was served by mail on 11/24/2015, only 13 days prior to the hearing and not the 15 days as required. Service was also by mail and not personal service as required.

- Amarissa Kozorra (Minor)

**Note:** Amarissa was served by mail on 11/24/2015, only 13 days prior to the hearing and not the 15 days as required. Service was also by mail and not personal service as required.

2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:

- Paternal Grandparents (of Amarissa) – Unknown
- Keith Stevens (Paternal Grandfather of Krysta)

**Note:** Keith Stevens was served by mail on 11/24/2015, only 13 days prior to the hearing and not the 15 days as required.

- Mechelle Tidey (Paternal Grandmother of Krysta)

**Note:** Mechelle Tidey was served by mail on 11/24/2015, only 13 days prior to the hearing and not the 15 days as required.

- Sandra Frizel (Maternal Grandmother)

**Note:** Sandra Frizel was served by mail on 11/24/2015, only 13 days prior to the hearing and not the 15 days as required.

3. The Notice of Hearing filed 12/02/2015 does not indicate that a copy of the petition was served along with the notice of hearing at #5 of the proof of service. The Court may require clarification.
4. UCCJEA is incomplete. Need minors' residence information for the past 5 years.
5. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the children have Native American Ancestry was not completed. Need declaration with page #5 attached for each of the minors.

<b>DOD: 2/24/09</b>		<b>ROSALIA LANUZA</b> , Spouse, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		40 days since DOD	<b>CONTINUED TO 1/28/16</b> Per attorney request
<b>Cont. from 093015</b>		No other proceedings	1. As previously noted, it does not appear this petition can go forward.
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	I&A: \$65,000.00 (real property located at 2133 Zozaya Street in Firebaugh, CA)	Attachment #14 indicates the decedent was survived by a spouse (Petitioner) and two minor children.
✓	<b>Inventory</b>		
	<b>PTC</b>		Attachment #11 states the decedent owned a 100% interest in the property, and the attached Grant Deed recorded 6/20/07 grants the property to "Alvaro L. Lanuza, a single man."
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Decedent died intestate	Therefore, it appears the decedent owned this property as his <u>separate</u> property, which would pass 1/3 to Petitioner, and 1/3 to each of his two minor children pursuant to Probate Code §6401(c)(3).
✓	<b>Aff.Mail</b>	Petitioner requests Court determination that Decedent's 100% interest in the real property passes to her 100%.	
	<b>Aff.Pub.</b>		<b>Note:</b> Declaration filed 9/29/15 amends the prayer to request that the property pass 1/3 to Petitioner and 1/3 each to the two minor children, as described above. However, it does not appear this petition can be amended to this request, since pursuant to Probate Code §13150, all successors in interest must petition, and in this case, two of the successors are minors. No guardian of the estate has been authorized to petition or receive property on their behalf.
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		Reviewed by: skc
	<b>Conf. Screen</b>		
	<b>Letters</b>	Update: Declaration filed 9/29/15 amends the prayer to request that the property pass 1/3 to Petitioner and 1/3 each to the decedent's two minor children.	Reviewed on: 11/30/15
	<b>Duties/Supp</b>		Updates: 12/2/15
	<b>Objections</b>		Recommendation:
	<b>Video Receipt</b>		File 19 – Lanuza
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

Petitioner Johnny Trujillo (Pro Per)  
 Petitioner Yesbeth Trujillo (Pro Per)

## Petition for Appointment of Guardian of the Person

		<b>TEMPORARY EXPIRES 10/27/2015;          extended to 12/7/2015</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 11/9/2015.</b> Minute Order states examiner notes provided in open court.  <b>The following issues from the last hearing remain:</b> <ol style="list-style-type: none"> <li>1. Proof of service by mail of the Notice of Hearing filed 11/2/2015 shows the notice was not served with a copy of the Petition for Appointment of Guardian as required.</li> <li>2. Need Attachments 3, 6 and 10 explaining answers to Items 3, 6, and 10 of Petitioner Johnny Trujillo's Confidential Guardian Screening form filed on 8/25/2015.</li> <li>3. Need Attachments 3 and 10 explaining answers to Items 3 and 10 of Petitioner Yesbeth Trujillo's Confidential Guardian Screening form filed on 8/25/2015.</li> </ol>
		<b>JOHNNY TRUJILLO and YESBETH TRUJILLO</b> , paternal uncle and aunt, are Petitioners.	
<b>Cont. from 102715</b>		<b>~Please see Petition for details~</b>	<b>Court Investigator's Report was filed on 10/19/2015.</b>
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/O	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>	N/A	
✓	<b>Conf. Screen</b>		
	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
✓	<b>Clearances</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<b>Reviewed by: LEG</b>	
		<b>Reviewed on: 12/1/15</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 20 – Garcia</b>	

**Petition to Determine Succession to Real Property (Prob. Code §13150)**

<b>DOD: 5/31/14</b>		<b>MANUEL PACHECO</b> , Spouse, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		40 days since DOD	<b>CONTINUED TO 1/28/16</b> Per attorney request
		No other proceedings	
<b>Cont. from 102715</b>		I&A: \$75,000.00 (Real property in Firebaugh, CA)	1. It does not appear this petition can go forward as prayed.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		Petitioner states at #9 that the decedent was also survived by children, and also does not state whether the decedent was survived by issue of predeceased child.
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		Attachment #14 lists four additional people, but does not indicate their relationship to the decedent.
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		Pursuant to Probate Code §6401, it appears Petitioner would be entitled to a 1/3 share, and the decedent's children and/or issue of predeceased child would be entitled to share the remaining 2/3 share.
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w	
<input type="checkbox"/>	<b>Aff.Pub.</b>		Pursuant to Probate Code §13150, all successors in interest must petition together in order for this summary proceeding to be used.
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		Therefore, this petition cannot go forward.
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		2. Petitioner's fee waiver was denied on 9/16/15. Therefore, the filing fee of \$435 is due. Note that the filing fee would be due regardless, since property valued at \$75,000.00 is proposed to pass.
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		3. Petitioner did not provide a proposed order pursuant to Local Rule 7.1.1.F.
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		Reviewed by: skc
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	x	Reviewed on: 11/30/15
<input type="checkbox"/>	<b>Aff. Posting</b>		Updates: 12/2/15
<input type="checkbox"/>	<b>Status Rpt</b>		Recommendation:
<input type="checkbox"/>	<b>UCCJEA</b>		File 21 – Pacheco
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		



		<b><u>TEMPORARY EXPIRES 12/07/2015</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Kjiyana Nash, non-relative, is petitioner.	<p>1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> <li>Father (Unknown)</li> </ul> <p>2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> <li>Paternal Grandparents (Not Listed)</li> <li>Maternal Grandfather (Not Listed)</li> </ul> <p><b>Note:</b> Notice of Hearing filed 10/07/2015 shows an individual by the name of Kemal Clark was personally serve on 10/01/2015 however it is unclear what the relationship is to the minor.</p> <p>3. Notice of Hearing with proof of service filed 10/07/2015 shows Laurie Scott served Kemal Clark who resides in Clovis, New Mexico on 10/01/2015 at 12:00pm and Peggy Clark who resides in Riverdale, Illinois on 10/01/2015 at 12pm. Need clarification.</p>
		<b><u>Please see petition for details</u></b>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	x	
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 12/01/2015
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 22 - Clark</b>

**23 Shaquille Wortham, Raymond Richardson, Case No. 15CEPR00960  
and Jaharri Richardson (GUARD/P)**

Petitioner Johnson, Darneisha (Pro Per – Cousin – Petitioner)

**Petition for Appointment of Guardian of the Person**

			See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Note: This petition is for Shaquille only. Minors Raymond and Jaharri are currently under the temporary guardianship of Christina Jones, with a general hearing date of 1/11/16.</u>  1. This minor is currently a ward of the Juvenile Court; therefore, this Probate Court does not have jurisdiction to grant a Probate Guardianship for this minor.  If this matter goes forward, the following issues exist:  2. Need Court Investigation and clearances pursuant to Probate Code §1513.  3. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Shaquille Wortham (Minor) - Ursula Richardson (Mother)  4. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Louis Wortham (Paternal Grandfather) - Minnie Percy (Paternal Grandmother) - Raymond Richardson (Sibling) - Christina Jones (Guardian of Raymond)
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	Clearances	X		
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 12/1/15	
			Updates:	
			Recommendation:	
			File 23 – Wortham/Richardson	

**24 Sherri Melissa Zeno (Estate) Case No. 15CEPR01022****Attorney Bagdasarian, Gary G. (for Virginia Rings-Couch – Petitioner - Parent)****Petition for Letters of Administration with IAEA and with Limited Authority**

<b>DOD: 04/06/2015</b>	<b>VIRGINIA RINGS-COUCH</b> , parent, requests appointment as Administrator without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need bond in the amount of \$130,000.00.  2. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on the following: <ul style="list-style-type: none"><li>• Anthony Clay</li><li>• Trinity Sartin</li><li>• Wyatt Sartin</li></ul> <b>Note:</b> Declaration re Due Diligence in Efforts to Ascertain Whereabouts and Addresses of Heirs filed 11/03/2015 states the grandchildren, all minors, of the decedent has had no contact with the decedent for several years and their whereabouts are unknown.  <b>Note:</b> If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"><li>• <b>Monday, 01/04/2016 at 9:00a.m. in Dept. 303</b> for the filing of the bond <u>and</u>  <b>Monday, 05/02/2016 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Monday, 02/06/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li></ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
	Limited Authority – o.k.	
<b>Cont. from 111715</b>	Decedent died intestate	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Residence: Fresno	
<input checked="" type="checkbox"/> <b>Verified</b>	Publication: The Business Journal	
<input type="checkbox"/> <b>Inventory</b>	Petitioner states estimated value of the personal property is insurance proceeds in an undetermined amount as a result of a claim of decedent estimated at \$130,000.00.	
<input type="checkbox"/> <b>PTC</b>	Probate Referee: Steven Diebert	
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 11/16/2015
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 24 – Zeno</b>

Attorney Jared R. Callister (for Petitioner Susan Belanger)

## Petition for Order Confirming Trust Assets (Heggstad); and Determination Concerning Construction of Trust Instrument; and Instructions

Donna Novak DOD: 2/20/2005	<p><b>SUSAN BELANGER</b>, Successor Trustee of the <b>SURVIVOR'S TRUST</b> and <b>RESIDUAL TRUST</b>, is Petitioner.</p> <p><b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li><b>VLADIMIR STEVE NOVAK</b> and his wife, <b>DONNA MARGENE NOVAK</b>, established on 6/10/1981 the <b>NOVAK FAMILY TRUST OF 1981</b> (copy attached as Exhibit A); over the years, the Trust held title to 7 different residential rental homes;</li> <li>Upon the death of Ms. Novak on 2/20/2005, per terms of the Trust the assets were divided into 2 sub-trusts: <b>RESIDUAL TRUST</b> and <b>SURVIVOR'S TRUST</b> (the latter known as the <b>VLADIMIR NOVAK REVISED AND RESTATED SURVIVOR'S TRUST</b> (copy of restated survivor's trust dated 11/8/2006 and 4/9/2007 first amendment attached as Exhibit B);</li> <li>Steps were taken to allocate the 7 rental homes to the 2 sub-trusts: <b>50%</b> interest in each of the rental homes funded the <b>RESIDUAL TRUST</b>, and <b>50%</b> interest in each of the rental homes funded the <b>SURVIVOR'S TRUST</b>;</li> </ul> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Exhibit A to the Petition containing a copy of the <b>NOVAK FAMILY TRUST OF 1981</b> is missing Page 8 of the Trust.</p>	
Vladimir Novak DOD: 5/4/2015			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			W/
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	✓		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 12/4/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 25 - Novak</b></p>			

Petitioner states, continued:Confirmation of Norwich Residence as SURVIVOR'S TRUST property (Heggstad Petition):

- During Ms. Novak's life, their principal residence on Norwich Ave. in Clovis was not transferred to the Family Trust but was held by Mr. and Ms. Novak as joint tenants;
- After Ms. Novak's death, it appears that it was mistakenly believed that the Norwich residence was already titled in the Family Trust, as evidenced by Attorney Mara Erlach filing an *Affidavit of Death of Trustee* (copy attached as Exhibit C), as opposed to an *Affidavit of Death of Joint Tenant*;
- In addition, Attorney Erlach had Mr. Novak execute a Grant Deed which purported to transfer the Norwich Residence from the Family Trust to the Survivor's Trust (copy attached as Exhibit D);
- Notwithstanding the execution and recordation of the Affidavit of Grant Deed, title to the Norwich residence is still vested in Mr. Novak as surviving joint tenant, as confirmed by a title report prepared by a title company at Trustee's request;
- Petitioner requests that the Norwich property be confirmed as an asset of the **SURVIVOR'S TRUST** under the [Heggstad] doctrine which held that real property not actually titled by way of deed in the name of the settlor's living trust did in fact constitute trust property as a result of the declaration and intent of the settlors that the property be trust property;
- While Mr. and Ms. Novak did not attempt to transfer the Norwich residence to their Family Trust during their joint lifetimes, it is clear that Mr. Novak wanted to, and in fact attempted to transfer, the Norwich residence to his **SURVIVOR'S TRUST**;
- Not only did Mr. Novak sign and have recorded an Affidavit and Grant Deed attempting to actually convey the Norwich residence to his **SURVIVOR'S TRUST**, but the language in his **SURVIVOR'S TRUST** also clearly demonstrates his desire to transfer the property to his **SURVIVOR'S TRUST**;
- It is important to note that Mr. Novak has a pour-over will that if probated would require the assets not held in trust to be transferred and allocated to his **SURVIVOR'S TRUST** (copy of will attached as Exhibit E);
- Thus, Petitioner requests that this Court confirm that the Norwich residence is property subject to the **SURVIVOR'S TRUST** and under the control of Petitioner as [Successor] Trustee of the **SURVIVOR'S TRUST**.

Construction of FAMILY TRUST/RESIDUAL TRUST, Section 12(a): Petitioner also requests guidance and instruction on interpreting the **NOVAK FAMILY TRUST** so that the Trustee can make appropriate distributions from the **RESIDUAL TRUST**;

- Mr. Novak had no children or issue of his own; Ms. Novak had one son, **RICHARD E. CONLEY**, from a prior relationship;
- **RICHARD E. CONLEY** was first married to **BARBARA CONLEY** and had one child: **LEANNE MARTIN aka LEANNE CHRISTINE CONLEY**;
- **RICHARD E. CONLEY** was later married to **ELIZABETH CONLEY** and had one child: **RICHARD (RICKY) A. CONLEY**;
- Thus, Mr. Novak had one step-son and two step-grandchildren [Page 5 of Petition includes table listing chronological births and deaths and changes to Mr. Novak's estate plan];

~Please see additional page~

Petitioner states, continued:

- The **NOVAK FAMILY TRUST** dictates that at the surviving settlor's death, the trust estate is to be divided into one trust share for **RICHARD** and one trust share for **LEANNE**;
- Trust further provides that the Trustee is to pay or apply for the benefit of Richard and Leanne, for their lives, net income from his or her respective share of the trust estate, along with discretionary distributions of principle from their trust shares;
- Trust further provides that upon the death of Richard or Leanne, the residue of their respective trust shares is to pass to the trust share of the survivor of the two of them;
- However, as written, the trust language does create confusion as to what is to happen to the share that was to be allocated to Richard if Richard predeceased *[emphasis in original]* the surviving settlor, which is what happened in this case; **[Richard's date of death is 6/20/2003; Mr. Novak's date of death is 5/4/2015]**;
- While the reading of the Trust creates the impression that Leanne is to inherit Richard's share, there is a colorable argument that California's anti-lapse statute might apply in this case;
- While Petitioner believes that Leanne is the sole beneficiary of the **RESIDUAL TRUST** due to its terms and extrinsic evidence of Mr. Novak's intent, there is sufficient ambiguity that Petitioner seeks this Court's assistance and instruction on the proper interpretation of these trust terms;
- If the anti-lapse statute is deemed to apply, then Richard's issue will receive his share of the trust estate, namely, Leanne and her half-sibling, Ricky;
- The question is whether Leanne is the sole beneficiary of the **RESIDUAL TRUST** or whether as a result of the anti-lapse statute, Leanne is a **75%** beneficiary with Ricky receiving the other **25%**;
- **Support that the Anti-Lapse Does Not Apply:** Petitioner believes that the language in the **RESIDUAL TRUST** as well as extrinsic evidence showing settlor's intent, is sufficient to overcome any application of Probate Code § 21110, California's anti-lapse statute;
- A plain reading of Trust Section 12(a)(1)(B) of the **RESIDUAL TRUST** makes clear that upon the death of Richard, his share is to be allocated to Leanne and added to her trust share as the survivor of the two of them; this trust provision explicitly includes a survivorship requirement, requiring that the estate pass to the trust of the "survivor" of Richard or Leanne; thus, this provision is adequate to demonstrate that the Novaks wanted Leanne to inherit Richard's share, whether or not he may have predeceased the surviving Settlor; in other words, Leanne was to be the sole beneficiary if Richard was dead or later died;
- This language is sufficient to meet the statutory test under Probate Code § 21110(b) to avoid application of the anti-lapse statute as the instrument "expresses a contrary intention" to the application of the anti-lapse statute and even includes a survivorship condition which is sufficient to avoid application of the anti-lapse rules;
- To apply the anti-lapse statute would defeat the settlors' intent and would create a curious distribution scheme that the settlors did not anticipate or desire; if the anti-lapse statute is deemed to apply, then the trust share allocated to Richard would instead pass to his children in equal shares, namely Leanne and Ricky; but if Richard did not predecease the surviving settlor then his share would have passed entirely to Leanne; clearly, the settlors would not have drafted the trust to call for a **100%** allocation to Leanne at Richard's death, but only if Richard survived the settlors;
- In addition to the trust provisions as mentioned that indicate Leanne is the sole beneficiary of the **RESIDUAL TRUST** there exists persuasive extrinsic evidence to suggest that the Novak's intended Leanne to be, and in fact believed she was, the sole beneficiary of the **RESIDUAL TRUST** in light of Richard's death;

~Please see additional page~

**Petitioner states, continued:**

- After Ms. Novak's death, Mr. Novak engaged in estate planning with Attorney Mara Erlach, which resulted in the execution of a revised and restated stand-alone **SURVIVOR'S TRUST** (please see Exhibit B);
- Notably, Mr. Novak's **SURVIVOR'S TRUST** was amended and restated so as to completely remove Leanne as a beneficiary and to instead insert **RICKY** (Richard E. Conley's son) as a **25%** beneficiary (along with Leanne's 3 children with each of them added as **25%** beneficiaries);
- Petitioner believes Mr. Novak removed Leanne as a beneficiary of the **SURVIVOR'S TRUST** because it was his intent and understanding that Leanne was a 100% beneficiary of the **RESIDUAL TRUST**;
- In a letter dated 10/24/2006 from Attorney Mara Erlach to Mr. Novak, Ms. Erlach explains the **SURVIVOR'S TRUST** provisions stating: "You have chosen not to provide for Leanne Conley in your trust, since she will be receiving the entire share of Donna's property from the **RESIDUAL TRUST** when you pass away." [Emphasis added in Petition]; (copy of Ms. Erlach's letter attached as Exhibit F);
- While one could conceivably argue that the anti-lapse statute should apply in this instance, the wording of the **RESIDUAL TRUST** makes it clear that Leanne is the sole beneficiary of said trust and the survivorship requirement of the trust is sufficient to meet the exception to the anti-lapse rule found in Probate Code § 21110(b);
- This position is further confirmed by the extrinsic evidence which demonstrates that Mr. Novak believed and intended Leanne to be the sole beneficiary of the **RESIDUAL TRUST** and acted upon such belief and intention so as to alter his other estate documents in light of this belief and intention.

**Construction of FAMILY TRUST/RESIDUAL TRUST, Section 12(c):** Petitioner also requests guidance and instruction on interpreting the **NOVAK FAMILY TRUST** so that the Trustee can make appropriate distributions from the **RESIDUAL TRUST** at the death of **LEANNE CHRISTINE CONLEY (MARTIN)**;

- There is ambiguity as to what is to happen to Leanne's trust share under the **RESIDUAL TRUST** at her death;
- While Trust Section 12(a) of the **RESIDUAL TRUST** provides that upon her death her share would pass to Richard, if he survived, that provision cannot apply here because Richard is already deceased; thus the only provision that appears to apply is Section 12(c);
- Because Richard is not alive, if Leanne dies while there are still assets in her share of the **RESIDUAL TRUST** then Section 12(c) apparently provides that her share is to pass to "other children and issue hereunder";
- It is not clear what is exactly meant by the phrase "other children and issue hereunder" as the Trust only refers to Richard and Leanne explicitly;
- In light of the ambiguity of this statement, Petitioner requests that the phrase "other issue hereunder" be interpreted to mean Leanne's issue;
- This is in accordance with the general statutory principle that "words of an instrument are to receive an interpretation that will give every expression some effect" and that "[preference is to be given to an interpretation of an instrument that will prevent intestacy or failure of transfer]" (see Probate Code § 21120);
- Thus, Petitioner requests confirmation that upon Leanne's death, her share of the **RESIDUAL TRUST** assets shall pass to her issue by right of representation.

~Please see additional page~

**Construction of SURVIVOR'S TRUST, Article SIX, Section A(5):** Petitioner also requests guidance and instruction on interpreting Article Six, Section (A)(5) of the **SURVIVOR'S TRUST**, as included in that certain First Amendment dated 4/9/2007; this section was added to the trust by an amendment; (see Exhibit B);

- It is Petitioner's belief that Mr. Novak was desirous that Leanne be given the right to live in the Norwich Residence, rent-free, for her lifetime;
- Because the **SURVIVOR'S TRUST** does not explicitly mention the requirement that rent be charged, but instead simple states that the Trustee "allow" the Norwich residence "to be used by" Leanne, Petitioner believes that the Trustee is not authorized to charge rent to Leanne should she choose to reside in the Norwich residence;
- In addition, Petitioner believes that property taxes and insurance on the Norwich Residence, as an asset of the **SURVIVOR'S TRUST**, would be paid by the Trustee from trust funds and not charged to Leanne; however, Petitioner believes that Leanne would be responsible for the payment of all utilities of the Norwich Residence while she resided therein;
- Petitioner requests confirmation that Leanne is authorized to reside in the Norwich Residence rent-free and shall only be responsible for the payment of utilities.

**Petitioner prays for an Order of this Court:**

1. *[Confirming that]* the Norwich Residence constitutes an asset of the **VLADIMIR NOVAK REVISED AND RESTATED SURVIVOR'S TRUST** subject to the management and control of Petitioner as [Successor] Trustee;
2. *[Deeming]* **LEANNE CHRISTINE CONLEY (MARTIN)** as the sole beneficiary of the **RESIDUAL TRUST**;
3. *[Confirming that]* upon Leanne's death, Leanne's share of the trust estate in the **RESIDUAL TRUST** shall pass to Leanne's issue by right of representation;
4. *[Confirming that]* the Trustee of the **VLADIMIR NOVAK REVISED AND RESTATED SURVIVOR'S TRUST** is authorized and allowed to permit Leanne the right to reside in the Norwich Residence (or any replacement residence as indicated in [trust terms], without charge of rent, with Leanne being responsible for the payment of utilities on said residence during the time she resides in said residence (or any replacement residence; and
5. Determining that with respect to the Petition, the interests of the minor beneficiary are adequately represented without appointment of a guardian ad litem. *[NOTE: This finding is omitted from the proposed order; it is unclear if this is intentional or clerical error.]*

**Note Re Appointment of Guardian ad Litem:** Petition states that one of the **SURVIVOR'S TRUST** beneficiaries, **TAWNI REANNE FORSTON**, (daughter of Leanne) is a minor; the other three beneficiaries are adults; because all four beneficiaries will have an equal **1/4** interest in the **SURVIVOR'S TRUST** they each have identical interests in the **SURVIVOR'S TRUST** and thus the minor's interests are adequately represented by the other 3 adult beneficiaries and no guardian ad litem is needed. (See the discussion of doctrine of virtual representation in CA Trusts and Estates Quarterly, winter 2004 [citations omitted]). Probate Code § 1003(a) provides, in pertinent part, that the Court may, on its own motion, appoint a Guardian ad Litem to represent the interests of a minor if the Court determines that representation of the interest otherwise would be inadequate. Probate Code commentary to statutory provisions related to trust matters states it may not be necessary to appoint a guardian ad litem where appears that the affected interest, here consisting of the minor beneficiary's equal **1/4** interest, may be otherwise represented, i.e., by competent adults with identical interests.



## Petition for Letters of Administration; Authorization to Administer under IAEA

<b>DOD: 7/28/15</b>		<b>BRIAN KELLY</b> , Brother, is Petitioner and requests appointment as Administrator with Limited IAEA with bond to be determined.  Petitioner is a resident of Pioneer, Louisiana.  Limited IAEA – ok  Decedent died intestate  Residence: Fresno Publication: Business Journal  Estimated value of estate: Personal property: \$5,000.00 Real property: \$100,000.00 (\$250,000.00, encumbered for \$150,000.00)  Probate Referee: Rick Smith	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need Duties and Liabilities of Personal Representative and Confidential Supplement.</b>  <b>2. Need Notice of Petition to Administer Estate and proof of service on Chad Kelly (Son) and all other relatives listed at #8 per Probate Code §8110.</b>  <b>3. If only limited IAEA is granted, the Court may require bond of \$5,000.00 to cover the estimated personal property. Reminder: Cal. Rule of Court 7.204 outlines duty to apply for increased bond upon necessity.</b>  <b>4. Need Order.</b>  <b>Note: If the petition is granted status hearings will be set as follows:</b> • Monday, 05/02/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Monday, 02/06/2017 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff.Mail</b>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
<b>Reviewed by:</b> skc			
<b>Reviewed on:</b> 12/1/15			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 26 - Kelly</b>			

## Petition for Letters of Administration with IAEA

<b>DOD: 06/24/15</b>	<b>ANNE DEFORD</b> , daughter, is Petitioner and requests appointment as Administrator without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Note:</b> Status hearings will be set as follows:
<b>Cont. from</b>	Full IAEA – OK	<ul style="list-style-type: none"> <li>• <b>Monday, 05/02/2016 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal; <b>and</b></li> <li>• <b>Monday, 02/06/2017 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	All heirs waive bond	
<input checked="" type="checkbox"/> <b>Verified</b>	Decedent died intestate	<p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>	Residence: Fresno	
<input type="checkbox"/> <b>Not.Cred.</b>	Publication: The Fresno Bee	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Estimated Value of the Estate:</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Annual income - \$12,000.00	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>	Real property - 88,000.00	
<input type="checkbox"/> <b>Sp.Ntc.</b>	<b>Total - \$100,000.00</b>	
<input type="checkbox"/> <b>Pers.Serv.</b>	Probate Referee: <b>STEVEN DIEBERT</b>	
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 12/01/15
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 27 - Brouwer</b>

Petitioner Lucy Salas (Pro Per Petitioner)

## Petition for Appointment of Temporary Guardian of the Person

			TEMPORARY GRANTED ON COURT'S OWN MOTION EXPIRES 12/7/2015	NEEDS/PROBLEMS/COMMENTS:
			<u>General Hearing set for 1/7/2016</u>	<u>Continued from 11/9/2015.</u>
Cont. from 110915			LUCY SALAS, maternal aunt, is Petitioner.	Minute Order states matter is continued for service as to the parents.
	Aff.Sub.Wit.			
✓	Verified		~Please Petition for details~	The following issues from the last hearing remain:
	Inventory			1. Two Proof of Service documents filed 12/1/2015 are defective in that they show service <u>by mail</u> on 11/30/2015 to the parents, which is insufficient as the law requires <u>personal service</u> to the parents.
	PTC			2. Need proof of five (5) court days' notice by <u>personal service</u> of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for:
	Not.Cred.			<ul style="list-style-type: none"> <li>• Esther Salas, mother.</li> <li>• Ector Menchaca, father.</li> </ul>
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: LEG
	Status Rpt			Reviewed on: 12/1/15
✓	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 28 – Menchaca

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution

<b>DOD: 09/05/06</b>	<p><b>ELIZABETH FELIX</b>, daughter, was appointed Administrator with full IAEA and without bond on 03/20/07. Letters of Administration were issued on 03/21/07.</p> <p>Final Inventory &amp; Appraisal filed 04/13/07- \$160,000.00</p> <p><b>Notice of Status Hearing</b> filed 07/17/13 set this matter for status on 09/06/13.</p> <p><b>Status Report filed 08/19/15</b> states: The estate has not received the funds from the sale of real property by the Fresno County Tax Collector. The funds have not been released by the Fresno County Supervisors. This matter is set to be approved before the Board of Supervisors on 09/01/15. The reason for the delay is stated to be contributed to the building water issue that required the closing of the building. If approved on 09/01/15, in accordance with state law, the County Tax Collector's Office would need to wait an additional 90 days before payment could be made.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>OFF CALENDAR</u></b></p> <p><b>First &amp; Final Account filed 11/30/15 and set for hearing on 01/26/16</b></p>
<b>Cont. from 090613 101113, 101714, 111714, 011215, 082415, 113015</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
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<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 12/01/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 29 – Estrada</b></p>		